

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 18-34 and 36-46 are currently pending. No claims have been amended herewith, but Claims 44-46 have been added by the present amendment. The additions to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 18-34, 36, 38, 40, 42, and 43 were rejected under 35 U.S.C. § 102(b) as being anticipated by European Patent Application Publication No. 0469865 to Dahlby et al. (hereinafter “the ‘865 patent”); and Claims 37, 39, and 41 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Applicants wish to thank the Examiner for the interview granted Applicants' representative on January 18, 2008, at which time the outstanding rejection of the claims was discussed. At the conclusion of the interview, the Examiner agreed that the '865 patent fails to disclose the serial number limitation recited in the claims.

Claim 18 is directed to a method of printing data files using an image printing device, comprising: (1) storing data files in a storage device associated with the image printing device; (2) selecting, in an arbitrary order, a plurality of the data files stored in the storage device; (3) displaying a serial number indicating the selected printing order of the selected plurality of data files; and (4) printing the selected plurality of data files, wherein the plurality of data files are printed in the selected order.

The ‘865 patent is directed to a method of automatically sorting jobs in a print queue according to the characteristics of the job to be printed and a selected printing priority. In particular, the ‘865 patent discloses steps of selecting an order in which jobs in the queue are to be printed, comparing a print medium program for each job of the print medium in the

paper tray, and changing the order in which the jobs are arranged in the queue in accordance with the presence of the print medium and the paper trays. As shown in Figure 15, the '865 patent discloses that the jobs in the print queue can be sorted based on various criteria, including the size of the job, according to the submission time, according to whether binding is required, and according to the media requirements of the job. Further, as shown in Figure 14, the '865 patent discloses that print jobs may be moved from the print queue 160 to the job file 188, but that direct movement of jobs from one place to another within the print queue is prevented.¹ In addition, the '865 patent discloses that the print queue 160 displays jobs in the order to be processed, which is shown for example, in Figures 8-11.² Moreover, Applicants note that Figure 7 of the '865 patent disclose a process by which a print job is set up, including the setting of the "job identification." In this regard, Applicants note that Figure 8, for example, shows the job identification for each of the jobs in the print queue, e.g., "standard job 116," "signature job 117," etc. Applicants note that this is the only identifier that uniquely identifies the job.

However, Applicants respectfully submit that the '865 patent fails to disclose displaying a serial number indicating the selected printing order of the selected plurality of data files, as recited in Claim 18. Rather, *the '865 patent discloses that the printing order is indicated by the order in which the jobs are listed*. The '865 patent does not disclose displaying a serial number. Rather, the Office Action has identified the job file name or job identifier disclosed by the '865 patent as being equivalent to the claimed serial number. However, Applicants note that the job identifier disclosed by the '865 patent is not a serial number that indicates the selected printing order of the selected plurality of jobs or data files, as required by Claim 18. When the jobs disclosed by the '865 patent are reordered according to the various criteria shown in Figure 15, the jobs listed in Figure 8 would be rearranged and

¹ '865 patent, column 7, lines 50 to column 8, line 3.

² See also the '865 patent, column 6, lines 20 and 21.

the job identifier number would not corresponding to the printing order. Rather, the job identifier disclosed by the '865 patent merely uniquely identifies the job, but is not indicative of the printing order.

Thus, for the reasons stated above, Applicants respectfully traverse the rejection of Claim 18 (and all similarly rejected dependent claims) as anticipated by the '865 patent.

Independent Claim 24 is directed to an image printing device that includes a selection device configured to display a serial number indicating the selected printing order of the selected plurality of data files. Further, Claim 30 recites the displaying step recited in Claim 18. Accordingly, for reasons stated above, Applicants respectfully traverse the rejection of Claims 24 and 30 (and all similarly rejected dependent claims) as anticipated by the '865 patent.

The present amendment also sets forth new Claims 44-46 for examination on the merits. New Claim 44, which depends from Claim 18, clarifies that the displaying step comprises displaying a file name, in addition to the serial number, for each of the selected plurality of data files. New Claims 45 and 46 recite similar limitations. New Claims 44-46 are supported by the originally filed specification and do not add new matter.³

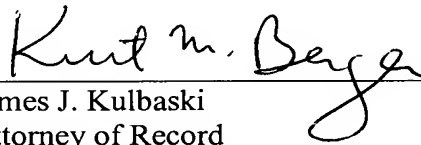
Thus, it is respectfully submitted that independent Claims 18, 24, and 30 (and all associated dependent claims) patentably define over the '865 patent.

³ See, e.g., Figures 7-9 and the discussion related thereto in the specification.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "Kurt M. Berger", is written over a horizontal line.

James J. Kulbaski
Attorney of Record
Registration No. 34,648

Kurt M. Berger, Ph.D.
Registration No. 51,461

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

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